

**TOWN OF EAST WINDSOR
WATER POLLUTION CONTROL AUTHORITY**

Minutes of Meeting of January 28, 2004

Members Present: Paul Anderson, Dave Tyler, Mark Livings, and Reginald Bancroft (Alternate)

Members Absent: Tom Davis and Frank Smith (Alternate)

Others Present: WPCA Superintendent Kevin Leslie; WPCA Attorney Hal Cummings; and Recording Secretary Laura Michael

Time and Place

Paul Anderson, Chairman, called the meeting to order at 7:00 p.m. at the East Windsor WPCA Administration Building.

I. Designate Alternate to Sit for Absent Member

Reginald Bancroft served as a voting member for absent member Tom Davis

Attorney Hal Cummings arrived at this time.

II. Acceptance of Minutes November 19, 2003

Motion: To accept the Minutes November 19, 2003 with a correction on page 3.
Livings/Bancroft
Tyler/Bancroft abstained
Passed

III. Payment of Bills

Motion: To authorize payment of the January 28, 2004, bill sheet in the amount of \$29,111.29.
Tyler/Bancroft
Discussion: Mr. Leslie explained that the AE Koehler Construction bill was for a sewer line backup on Gardner Street and has been submitted to the insurance company.
Passed unanimously.

Motion: To authorize payment for the hardware portion of the bill from Quality Data Services, in the amount of \$3,558.00.
Tyler/Livings
Discussion: Mr. Leslie explained that there are some problems with the software from Quality Data and they need to be corrected.
Passed unanimously.

IV. Visitors – none. Mr. George Tartsinis was expected but did not attend.

Mr. Leslie explained that Club Rush had closed and Big Shot Billiards would be occupying part of the space that Club Rush had been in. Attorney Cummings reported to the Board that he represented Big Shot Billiards before Planning and Zoning. The owner of Big Shot Billiards has submitted an application to the WPCA, which will trigger a FCC review. Mr. Tartsinis does not believe there should be a review. Attorney Cummings stated that there would have to be a review, according to FCC Regulations, of the total flow from all buildings in the plaza not just the single unit.

V. Public Hearing Scheduled at 7:30 p.m.

Motion: To suspend the regular meeting for the purpose of holding the public hearing at 7:30 p.m.
Bancroft/Livings
Passed unanimously.

Motion: To open the public hearings as published for Levesque, 34 Phelps Road through Coleman Farms East Windsor LLC, 15 Old Barn Road.
Tyler/Livings
Passed unanimously.

There was no one present for Levesque, 34 Phelps Rd. Mr. Leslie stated that this is an existing single-family property and one-half of the FCC has been paid.

There was no one present for Gendreau, 206 Wells Rd. Mr. Leslie stated that this is an existing single-family property and one-half of the FCC has been paid.

There was no one present for Collins, 97 Stoughton Rd. Mr. Leslie stated that this is an existing single-family property and the FCC has been paid in full.

There was no one present for Billings, 33 Winton Rd. Mr. Leslie stated that this is an existing single-family property and the FCC has been paid in full.

There was no one present for Breton, 354 Scantic Rd. Mr. Leslie stated that this is an existing single-family property and one-half of the FCC has been paid.

There was no one present for The Depot LLC, 8 Hillside Farms Dr. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

There was no one present for The Depot LLC, 15 Hillside Farms Dr. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

There was no one present for Rejean Realty, Inc., 3A Reggie Way. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

There was no one present for Rejean Realty, Inc., 3B Reggie Way. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

There was no one present for Rejean Realty, Inc., 3C Reggie Way. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

There was no one present for Rejean Realty, Inc., 3D Reggie Way. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

There was no one present for Rejean Realty, Inc., 4A Reggie Way. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

There was no one present for Rejean Realty, Inc., 4B Reggie Way. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

There was no one present for Rejean Realty, Inc., 4C Reggie Way. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

There was no one present for Rejean Realty, Inc., 4D Reggie Way. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

There was no one present for Rejean Realty, Inc., 4E Reggie Way. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

There was no one present for Rejean Realty, Inc., 4F Reggie Way. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

There was no one present for Coleman Farms East Windsor LLC, 8 Old Barn Rd. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

There was no one present for Coleman Farms East Windsor LLC, 10 Old Barn Rd. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

There was no one present for Coleman Farms East Windsor LLC, 15 Old Barn Rd. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

Motion: To close the public hearing.
Tyler/Livings
Passed unanimously.

Motion: To return to the regular meeting.
Tyler/Bancroft
Passed unanimously.

VI. Receipt of Applications

Big Shots Billiards, 2 North Road

Mr. Leslie explained that this is a billiards hall and will be serving snack type foods. In the memo dated December 29, 2003 from Town Engineer Leonard Norton, item #2 covers the grease trap issue.

Motion: To accept the application of Big Shots Billiards, 2 North Road.
Livings/Bancroft
Passed unanimously.

Vito Cortese, 80-82 South Main Street

Mr. Leslie explained that Mr. Cortese's engineer submitted plans without details to the WPCA. They show a huge garage with large bays and large overhead doors. The plans do not show any interior plumbing or sand/oil interceptors.

Motion: To reject without prejudice the application of Vito Cortese, 80-82 South Main Street as incomplete, as outlined in the memo dated January 7, 2004 from Town Engineer Leonard Norton.
Livings/Bancroft
Passed unanimously.

VII. Legal

Hold Harmless Agreement

Attorney Cummings provided the WPCA with a Hold Harmless Agreement form. This agreement would allow a private property owner to connect to the sewer system where there are no immediate plans for a town sewer line. This agreement would protect the town, covering legal issues and controlling maintenance issues. This agreement would be recorded on town land records.

Assessments Based Upon Development Potential

Mr. Leslie explained that the Town Planner and the First Selectman feel there would be a need for assessments based upon potential development of properties on Newberry Road. Attorney Cummings stated that statutes allow for a reassessment clause to be put in benefit assessments. The commission could reserve the right to reassess with fundamental fairness and equal treatment, but not reassess for more than the cost of the project.

Motion: To enter into executive session for the purpose of discussing Easements for the Prospect Hill Road Sewer Project at 8:16 p.m.
Bancroft/Tyler
Passed unanimously.

Motion: To adjourn from executive session at 8:55 p.m.
Bancroft/livings
Passed unanimously.

Prospect Hill Road Sewer Easements

- Motion:** To authorize Paul Anderson, Chairman to accept the easement agreement with Prospect Hill Enterprises LLC for \$100 and concession of benefit assessment.
Tyler/Bancroft
Passed unanimously.
- Motion:** To authorize Paul Anderson, Chairman to accept the easement agreement with Loretta Crabb for \$100 and concession of benefit assessment.
Tyler/Bancroft
Passed unanimously.
- Motion:** To authorize Paul Anderson, Chairman to accept the easement agreement with Gary Conway for \$100 and concession of benefit assessment.
Tyler/Bancroft
Passed unanimously.
- Motion:** To authorize Paul Anderson, Chairman to accept the easement agreement with Edward and Verna Phillips for \$100 and concession of benefit assessment.
Tyler/Bancroft
Passed unanimously.
- Motion:** To authorize Paul Anderson, Chairman to acquire the easement with Prospect Hill Enterprises LLC in accord with agreement.
Tyler/Bancroft
Passed unanimously.
- Motion:** To authorize Paul Anderson, Chairman to acquire the easement with Loretta Crabb in accord with agreement.
Tyler/Bancroft
Passed unanimously.
- Motion:** To authorize Paul Anderson, Chairman to acquire the easement with Gary Conway in accord with agreement.
Tyler/Bancroft
Passed unanimously.
- Motion:** To authorize Paul Anderson, Chairman to acquire the easement with Edward and Verna Phillips in accord with agreement.
Tyler/Bancroft
Passed unanimously.

Attorney Cummings left the meeting at this time.

VIII. Action on Facility Connection Charges

- Motion:** To impose the Facility Connection Charges, beginning with Levesque, 34 Phelps Rd through Coleman Farms East Windsor LLC, 15 Old Barn Rd. in amounts published.
Livings/Bancroft
Passed unanimously.

IX. Unfinished Business

Three-Year FCC Review – not addressed at this time.

Plant Process Computer Software Upgrade/Replacement

Mr. Leslie explained that one of the plant process computers has failed and the system is relying on one computer, which is old. To replace the entire system would cost about \$100,000. He recommends replacing the computers with two refurbished Dell computers and upgrading the software, which can be done for \$10,000 including training.

X. New Business

Discussion of Superintendent's Report

Mr. Leslie reported that he received the new grease interceptor regulations from the DEP and this item will be added to next month's agenda.

Mr. Leslie explained that his only town budget request for the upcoming year would be that they continue making insurance payments.

Mr. Leslie explained to the Board that the FCC public hearing notice costs should be charged to the town since they are collecting the FCC fees. The Board agreed that this cost should come from the town and not sewer user charge revenues.

Mr. Anderson passed along a memo from Linda Roberts asking that WPCA agendas and minutes be sent to Mr. Michael Balf, the selectman appointed to report on the WPCA Board/Commission.

Mr. Leslie reported that there are frozen discharge lines in the sludge storage tank due to the cold weather.

Mr. Leslie said that the Permit Renewal was still in the process of being reviewed.

XI. Adjournment

Motion: To adjourn the meeting at 9:17 p.m.
Bancroft/Tyler
Passed unanimously

Respectfully submitted,

Laura Michael
Recording Secretary